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AN  
ADDRESS  
TO THE  
GRAND JURY  
OF  
THE HUNDREDS OF  
KIRTON AND SKIRBECK,  
IN THE PARTS OF  
HOLLAND,  
IN THE COUNTY OF LINCOLN;

AT THE  
GENERAL QUARTER SESSIONS OF THE PEACE,

HELD AT BOSTON, April 17, 1798;

CONCERNING THE LATE ACT OF PARLIAMENT,

FOR THE  
DEFENCE AND SECURITY OF THE REALM.

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BY  
SAMUEL PARTRIDGE, M. A.  
CHAIRMAN AT THE SAID SESSIONS. k

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PUBLISHED AT THE REQUEST OF THE BENCH, AND OF  
THE GRAND JURY.

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**THE GRAND JURY**  
OF THE  
HUNDREDS OF KIRTON,

&c. &c. &c.

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*Gentlemen of the Jury,*

AN Act of Parliament, of very great importance to the defence and security of this kingdom, and of every thing within it which can be dear to us all, received the royal assent, on the 5th day of the present month.

This Act has been, by many persons who depend upon *rumour* alone for information on public affairs, very much misunderstood. I

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will therefore take this opportunity of stating, and commenting upon, such parts of it as are most necessary to be generally known; not so much, gentlemen, for *your* information, who will doubtless procure and read attentively this important Act, (which is short, and of small price) as for the information of the neighbourhood at large, now assembled to witness the administration of the laws of our country; laws, more just and equal, and administered (I trust) with more impartiality and purity, than those of ~~any~~ other nation in the world.

This Act is entitled “An Act to enable his Majesty more effectually to Provide for the Defence and Security of the Realm, during the present War; and, for indemnifying Persons who may Suffer in their Property by such Measures as may be necessary for that Purpose.”

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The preamble states, that " it is expedient that his Majesty should be enabled to exercise, in the most effectual manner, the powers by law vested in him for preventing and repelling an invasion of this kingdom by his Majesty's enemies; and that, for such purpose, provision should be made to enforce prompt obedience to such orders as his Majesty shall think fit to issue, for procuring the *information* necessary to the effectual exercise of such powers upon any emergency; and for applying, in the most expeditious manner, and with the greatest effect, the *voluntary services* of his loyal subjects for the defence of the kingdom; and also, to enable his Majesty to procure *ground* which may be wanting for erecting batteries, beacons, and other works, which may be deemed necessary for the public service; and also, to provide for the *indemnity* (in certain cases) of persons who may suffer in their property by measures



which may be taken for the defence and security of the country, and annoyance of the enemy."

The first clause enacts, that the lieutenants of the several counties, and their deputy-lieutenants *shall*, in obedience to such orders as his Majesty shall think fit to issue, for such purpose, procure returns of the numbers of men of the age of fifteen years and under the age of sixty years; distinguishing which of them are, by reason of infirmity, incapable of active service; and which of them are engaged in any volunteer corps; and which of them are *willing* to engage themselves, to be armed, arrayed, trained, and exercised, for the defence of the kingdom, and upon what terms; and which of them are *willing* to engage, in cases of emergency, either gratuitously or for hire, as boatmen or bargemen, or as drivers of carriages or horses, or drivers of waggons, carts, or cattle, or as  
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pioneers, or other labourers for any works or labour which may be necessary for the public service; and also to procure returns of the numbers of the males and females, who by reason of infancy, age, or infirmity, or for other cause, may probably be incapable of removing themselves, in case of danger; and also, for procuring, returns of all boats, barges, waggons, carts, horses, and other cattle and sheep, and of all hay, straw, corn, meal, flour, and other provisions, and of all mills and ovens, and all other things which may be useful to an enemy, or applicable to the public service; and which of such boats, barges, waggons, carts, and horses, the owners thereof are *willing* to furnish, in case of emergency, for the public service, either gratuitously or for hire; and with what numbers of boatmen, bargemen, drivers, and other necessary attendance, and upon what terms and conditions: for the purpose of enabling  
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his Majesty, and the persons acting under his Majesty's authority, to give such orders as may be necessary for the removal, in case of danger, of such persons as shall be incapable of removing themselves, and for the removal of all boats, barges, waggon, carts, horses, cattle; sheep, hay, straw, corn, meal, flour, and other provisions, and things aforesaid, or for the employment thereof in his Majesty's service or otherwise, as the exigency of the case shall require; and generally to give such directions touching such matters respectively, as may be deemed most likely to defeat the views of the enemy, and most advantageous for the public service.

Gentlemen, you perceive that the *former part* of this clause is not *optional*, but *compulsory*;---that *returns shall be procured* of the number of *men* aged betwixt 15 and 60. Then follow the classes into which they are to be distinguished: 1st. Such as are incapable

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ble of service. 2dly. Such as are engaged in any volunteer corps; 3dly (observe this particularly) such as are WILLING to engage themselves, to be armed and trained for the defence of the kingdom; 4thly. such as are WILLING (observe this material word) to engage as boatmen, or drivers of carriages, horses, or cattle; or as pioneers, or other labourers.

Returns are to be procured (in the next place) of persons incapable of removing themselves, in case of danger. To this part of the clause no one will object, who considers, for a moment, the treatment which these persons would meet with in the hands of the enemy. The accounts which we have received, of the barbarities practised upon the inhabitants of other lately invaded countries, are shocking almost beyond belief. Let us be thankful, that we live under a govern-

vernment, able and prompt to rescue the helpless part of its subjects from such dreadful calamities.

The return, in the next place, of all boats, waggon, carts, horses, cattle, provisions, and so forth, in order to their removal in case of danger, is a matter of such obvious expediency and necessity, that no words need be used to vindicate this measure; especially, when we consider the *compensation* for all losses sustained, which is the subject of some subsequent clauses.

The 2d. clause enables his Majesty to require the lieutenants, or deputy lieutenants, to appoint proper *officers*, to be ready for arming, training, exercising, and commanding, such men as shall be *willing* to engage themselves to be so armed and trained; and also proper persons, to superintend and direct the execution of the other duties before-mentioned.

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The 4th. clause gives to lieutenants, deputy lieutenants, justices of the peace, constables, and so forth, the like powers and authorities, in the execution of this Act, as they respectively possess with regard to the existing militia laws.

The 6th. clause requires lieutenants, or deputy lieutenants, to issue warrants to constables, to cause returns, as above-mentioned, to be made upon oath, for their several parishes, at the subdivision meetings.

The 7th clause (a very important one) is thus worded, "That it shall be lawful for his Majesty, in case of actual invasion of this kingdom, or if his Majesty shall see special cause to apprehend that such invasion will actually be attempted by the enemy, to authorise and empower, by order under his Sign Manual, the said lieutenants and deputy lieutenants, or any of them, on any emergency, and on the requisition of the officer commanding within

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the district respectively, or of such other persons as his Majesty shall specially empower to make such requisition, to give all such orders as shall be necessary for the removal of any boats, barges, waggons, carts, or other carriages, horses, cattle, sheep, hay, straw, corn, meal, flour, or provisions of any kind, or any other things which may be of advantage to an enemy, or useful for the public service, and to take the same, if necessary, for the public service; and also to give such orders as shall be necessary, for the removal of the inhabitants of any house, hamlet, district, or place, or any of them, and especially such as by reason of infancy, age, or infirmity, or other cause, shall be incapable of removing themselves, in case of danger; and also, in case of necessity, to destroy any boats, barges, waggons, carts, or other carriages, horses, cattle, sheep, hay, straw, corn, meal, flour, or provisions of any kind, or any thing which  
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may be of advantage to an enemy, and to remove, destroy, or to render useless, any house, mill, bridge, or other, building, or any matter or thing whatsoever; and generally to do and act in the premises, as the public service and the exigencies of particular cases shall require."

In order that no one among us may suppose, for a moment, that his property is likely to be destroyed without any *compensation* to him, I will here pass on to the 11th clause: "when it shall have been found necessary to take, for the public service, remove or destroy any waggons, carts, or other carriages, horses, cattle, sheep, hay, straw, corn, meal, flour, or other provisions, or any other articles whatsoever, or to destroy or injure any house, mill, bridge, or other building, or any matter or thing of value, under the directions aforesaid, the commissioners of his Majesty's treasury shall appoint persons to enquire into and



ascertain the value of such articles, and the *compensation* which ought to be made for the same, by way of purchase or hire, or recompence for damage, or otherwise, according to the nature of the case; and if the owner shall be willing to accept the compensation which shall be so ascertained, the same shall be paid by the commissioners of his Majesty's treasury, or such person as shall be appointed by them for that purpose, in pursuance of a certificate under the hands of the persons so employed to ascertain the same; and if the owner shall not be willing to accept such compensation, it shall be lawful for his Majesty to order two justices of the peace to settle and ascertain the compensation which ought to be made; which justices shall settle and ascertain the same accordingly, and shall grant a certificate thereof to the commissioners of his Majesty's treasury, who shall order the same to be paid to the person entitled thereto,

thereto, out of any money granted for the supply of the year."

Going back to the 8th clause, we find, "that any persons who may *enrol themselves* in any volunteer corps of infantry or cavalry, *subsequent to the date of this Act*, shall not be liable to be called out, and placed under the command of any general officer commanding within the district in which such corps may be formed; except in case of actual invasion, or of the actual appearance of the enemy on the coast, or of the danger of invasion being deemed so imminent, as to make it advisable for the lieutenant or deputy-lieutenants, or any of them, to give orders for the removal of cattle, corn, or any other articles which may be of advantage to the enemy, or useful to the public service, in the manner hereinbefore mentioned."

The 10th clause enables his Majesty to authorize any general officer or other person,

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“ to survey and mark out any piece of *ground* wanted for the public service, and to treat and agree with the owner for the possession or use thereof, during such time as the exigence of the service shall require; and in case the owner shall refuse or decline to enter into such contract as shall be satisfactory to such officer or other person, or shall be unable so to do by reason of infancy, &c. it shall be lawful for the persons so authorized by his Majesty, to require two or more justices of the peace, or deputy-lieutenants, where such piece of ground shall be, to put his Majesty's officers into *immediate possession* of such piece of ground by their warrant; who shall also issue their warrants to the sheriff, to summon a jury to enquire of, and ascertain, the *compensation* which ought to be made for the possession or use of such piece of ground; and the receiver-general shall, out of any money in his hands, pay such compensation as shall be

be directed: provided always, that no such piece of ground shall be so taken for the public service, without the consent of the owner, unless the necessity for the same shall be first certified by the lord lieutenant or two of the deputy lieutenants, or unless the enemy shall have actually invaded the kingdom, at the time when such piece of ground shall be so taken."

To the substance of the 17th. clause, I desire the attention of all persons, but particularly of *constables*; "In case any constable, or ohter person, shall disobey any orders which shall be issued in pursuance of this Act, or shall obstruct or hinder the execution thereof; every such person, upon conviction of such offence before any justice of the peace, shall forfeit and pay a sum not less than five pounds, and not exceeding one hundred pounds, at the discretion of such justice, to be levied by distress; and for want of sufficient  
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distress, then such justice is required to commit such offender to the common gaol, for any time not exceeding three months."

The 22d. clause enacts, That this Act shall have continuance during the present war with France. But, by the last clause, this Act, or any of its provisions, may be altered or repealed, during the present session of parliament.

BY this plain statement of the most material parts of the Act in question, and by your own attentive perusal of it, which I would invite and encourage, you will be enabled, gentlemen, to give a satisfactory answer to any of your uninformed neighbours; who may ask, (as I know many have done) "Are they going to make us all *soldiers?*" Your answer will be, "*They* (meaning *government*) offer to teach every man, *who is willing to learn*, how to defend himself against the enemy,



enemy, instead of standing (like an idiot) to be knocked o' the head; they will assist in conveying your wives, and daughters, and infants, to places of greater safety; for, most horrible would be their fate, if they should fall into the hands of the invaders; and, by driving away all cattle from the coast, and destroying such articles of subsistence as cannot be removed to the rear of our own forces, (a full compensation being made to the owners) they will leave nothing for the enemy to invade, but a country filled (I trust) with armed men.

These, gentlemen, are the objects of the Act we have been considering; an Act passed by the parliament, with such unanimity, as delighted all real lovers of their country; who have lately had too much occasion to lament the want of this unanimity, at a time when all hearts and hands ought to be united in the common defence.

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There is now especial reason for this peaceable and forbearing temper and conduct; not only among statesmen and legislators, but among men in all ranks and situations. For, what could more encourage, and promote the success of, an invading enemy, than the sight of a people, in their respective neighbourhoods quarrelling and fighting with each other. Allow me, therefore, to hope, that few, if any, *true bills*, for *assault* and *battery*, (which are too common in this and in every part of the kingdom,) will be returned by you, either at the present, or any other sessions, during this urgent danger of our country. I do not indulge the vain hope, that they can be wholly precluded. But, doubtless, magistrates will now be especially careful to discountenance all frivolous and vexatious complaints, and to punish with due strictness all real offences, of this nature.

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In the present ~~most awful~~ situation of the kingdom; long and laboured exhortations to stand forward manfully, in fortune and in person, for the defence of it, need not be addressed to British hearers. It is enough to *remind* them, that it depends, under the divine providence, upon the *spirit* which our present dangers, ~~and this act of parliament made to provide against them,~~ and the example of our Sovereign, who has solemnly declared his resolution to stand or fall with his people, shall excite in the public mind;—whether our independence as a nation, and our individual lives, liberty, and property, shall be preserved; or whether we shall bend our necks to the most intolerable foreign yoke that was ever imposed upon any people; and, after no long respite, most of us *perish*, by the hatred of the enemy, or by the treachery and cruelty of the most abandoned among our own countrymen.

From this promiscuous destruction if any of us should think of preserving himself, by affecting to stand *neuter* in the contest, withholding such aid as he is able to give to his country, either by his purse or his personal service;—that man deceives himself most fatally. Will our foreign enemies treat *us* better than they have treated one another? Us, whom they hate with the most deadly hatred that man ever bore towards man? And what has been the lot of these *neutrals* in the enemy's country? Exactly that which such baseness deserved. They have perished;—the scorn and derision of both the parties in the contest. Let us be assured, that *he* will have the fairest chance for safety in this struggle, who is found with *arms in his hands*, and with *skill* to use them properly.

We are threatened with invasion, at the time of *the first leaf appearing*. However vaunting this threat may seem, while the  
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empire of the *sea* is our's; let us remember, that the enemy has fulfilled some threats, which at first were slighted and contemned, with a dreadful exactness. We should, therefore, be warned by, instead of despising, them. *Fear* them, perhaps, we need not, if we be awake to our danger; but we may well be afraid of our own false *security*. If we should fall into an infatuated supineness, (and indeed, among private individuals, there are too many indications of it\*) the enemy will be well apprized of it by the *friends he has among us*; then, he will suddenly execute

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\* Among these indications, it is pleasant and consoling, to hear that *one* of them has, for the most part, ceased; namely, the general absence, at this awful juncture, of great Land Lords from their estates and family mansions in the country. The metropolis is said to be now very much deserted by gentlemen of this description. A few are still lingering there, in their usual course of dissipation; who ought to be training, and animating by their example, every tenant, able to bear arms, upon their estates. These men seem resolved to verify the adage, "*Quos Jupiter vult perdere, prius dementat.*"

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his menaces ; and if he shall come against us at the period assigned by him, and prevail over us, this is the last time that justice will be administered, after a British fashion, in this court ; and you, Gentlemen, with the other jury of this day, will be our last just and merciful juries. For, you will quickly be succeeded by a *revolutionary jury*, whose sole office it will be, to return verdicts of *guilty* against those among our countrymen, who now possess rank and opulence ; or distinguished talents, united with virtue ; or (which is the case of a great number among us here present) a fair property, acquired by the honest industry of many years ; who will all, on these accounts, be devoted to destruction by the *reforming* tyrants of the day.

THE END.